

**DECLARATION FOR UTILITY PATENT APPLICATION**

Attorney Docket No. : 210121.479C1

First Named Inventor : Gary R. Fanger

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below under my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**COMPOSITIONS AND METHODS FOR THE THERAPY,  
DIAGNOSIS, AND MONITORING OF BREAST CANCER**

which is described and claimed in the specification and claims of continuation-in-part (C-I-P) Patent Application No. 09/757,417, as filed in the United States Patent and Trademark Office on January 8, 2001 ("this application") for which a patent is sought. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under 35 U.S.C. § 365(c) of any PCT international application(s) designating the United States of America, as listed below ("the parent applications") and insofar as the subject matter of each of the claims of this application is not disclosed in at least one of the below-listed United States or PCT International parent applications in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge my duty to disclose information of which I am aware which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56, including material information which became available between the filing date of any of the below-listed parent applications and the national or PCT international filing date of this (C-I-P) application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number	Attorney Docket Number
09/580,376	5/26/2000		210121.479

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

  
Gary R. Fanger

Date 3/07/01  
 Residence : City of Mill Creek, County of Snohomish  
 State of Washington  
 Citizenship : United States of America  
 P.O. Address : 15906 – 29<sup>th</sup> Drive South East  
 Mill Creek, Washington 98012

  
Teresa M. Foy

Date 3/12/01  
 Residence : City of Federal Way, County of King  
 State of Washington  
 Citizenship : United States of America  
 P.O. Address : 2104 S. 277<sup>th</sup> Place  
 Federal Way, Washington 98003

Raymond L. Houghton  
Raymond L. Houghton

Date 03/07/01

Residence : City of Bothell, County of King  
State of Washington

Citizenship : United States of America

P.O. Address : 2636 – 242<sup>nd</sup> Place South East  
Bothell, Washington 98021

Steven G. Reed

Steven G. Reed

Date 27 March 01

Residence : City of Bellevue, County of King  
State of Washington

Citizenship : United States of America

P.O. Address : 2843 – 122<sup>nd</sup> Place North East  
Bellevue, Washington 98005

**ASSIGNMENT OF UTILITY PATENT APPLICATION**

WHEREAS, we,

Name	Post Office Address	
Gary R. Fanger	15906 – 29 <sup>th</sup> Drive SE, Mill Creek, WA 98012	;
Teresa M. Foy	2104 S. 277 <sup>th</sup> Pl, Federal Way, WA 98003	;
Raymond L. Houghton	2636 – 242 <sup>nd</sup> Place SE, Bothell, WA 98021	; and
Steven G. Reed	2843 – 122 <sup>nd</sup> Place NE, Bellevue, WA 98005	,

(hereinafter referred to as ASSIGNORS), having post office addresses as listed above next to our names, are the joint inventors of an invention entitled

**COMPOSITIONS AND METHODS FOR THE THERAPY, DIAGNOSIS  
AND MONITORING OF BREAST CANCER**

which is described and claimed in the specification and claims of Patent Application No. 09/757,417, as filed in the United States Patent and Trademark Office on January 8, 2001 ("this application") for which a patent is sought. This application is a continuation-in-part of United States Patent Application No. 09/580,376, filed May 26, 2000.

WHEREAS, Corixa Corporation (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware having a place of business at 1124 Columbia Street, Suite 200, Seattle, Washington 98104, is desirous of acquiring the entire right, title and interest in and to said invention, this application, and in and to any Letters Patent that may be granted therefor in the United States and in any and all foreign countries;

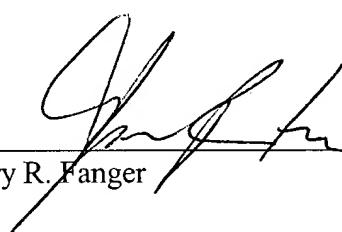
NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE, the entire right, title and interest in and to said invention, this application and any and all Letters Patent which may be granted therefor in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from this application and said parent application(s) to which said foreign applications are entitled by virtue of international convention, treaty or otherwise; said invention, this application and all Letters Patent on said

invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made.

ASSIGNORS hereby authorize and request the Director of the Patent and Trademark Office to issue said United States Patent to ASSIGNEE, of the entire right, title and interest in and to the same, for its sole use and behalf, and for the use and behalf of its legal representatives, to the full end of the term for which said Patent may be granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United States and foreign Patent on said invention, for litigation regarding said Patent, or for the purpose of protecting title to said invention or Patent therefor.

3/6/01  
Date

  
Gary R. Fanger

State of WASHINGTON)

ss.

County of KING)

I certify that I know or have satisfactory evidence that Gary R. Fanger is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 7, 2001

Signature of  
Notary Public Deirdre I. Bryan

Printed Name DEIRDRE I. BRYAN

My appointment expires 9/2/01

Date

3/12/01

Teresa M. Foy

State of

WASHINGTON

Teresa M. Foy

County of

KING

) ss.

I certify that I know or have satisfactory evidence that Teresa M. Foy is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

Dated

March 12, 2001

Signature of

Notary Public

Printed Name

Audrie I. Bryan

DERDRE I. BRYAN

My appointment expires

9/1/02

Date

03/07/01

Raymond L. Houghton

State of

WASHINGTON

Raymond L. Houghton

County of

KING

) ss.

I certify that I know or have satisfactory evidence that Raymond L. Houghton is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated

March 7, 2001

Signature of

Notary Public

Printed Name

Audrie I. Bryan

DERDRE I. BRYAN

My appointment expires

9/1/02

27, March 2001

Date

Steven G. Reed

Steven G. Reed

State of WASHINGTON)

County of KING) ss.

I certify that I know or have satisfactory evidence that Steven G. Reed is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated March 27, 2001

Signature of  
Notary Public Deirdre I. Bryan

Printed Name DEIRDRE I. BRYAN

My appointment expires 9/1/02



PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Gary R. Fanger et al.  
 Application No. : 09/757,417  
 Filed : January 8, 2001  
 For : COMPOSITIONS AND METHODS FOR THE THERAPY,  
 DIAGNOSIS AND MONITORING OF BREAST CANCER

Docket No. : 210121.479C1

Box Missing Parts  
 Assistant Commissioner for Patents  
 Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints Richard W. Seed, Reg. No. 16,557; Robert J. Baynham, Reg. No. 22,846; George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; David J. Maki, Reg. No. 31,392; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Frank Abramonte, Reg. No. 38,066; Kevin S. Costanza, Reg. No. 37,801; Thomas E. Loop, Reg. No. 42,810; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Eric J. Gash, Reg. No. 46,274; Jeffrey C. Pepe, Reg. No. 46,985; Charles J. Rupnick, Reg. No. 43,068; Timothy L. Boller, Reg. No. P-47,435; and James M. Verna, Reg. No. 33,287; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, and Cynthia L. Shumate, Reg.

No. 38,303; Kathleen Nora McKereghan, Reg. No. 41,985; Jeff E. Hundley, Reg. No. 42,676; and Gary M. Myles, Reg. No. 46,209, as its attorneys <sup>and agents app</sup> to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to **Jane E. R. Potter** at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

Jane E. R. Potter, Esq.  
Seed Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Corixa Corporation filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

CORIXA CORPORATION  
ASSIGNEE

3 April 2001  
DATE

  
\_\_\_\_\_  
Kathleen Nora McKereghan  
Vice President, General Counsel and Secretary

Enclosure:  
Copy of Assignment

L:\210121 - Corixa\479C1\Forms\479C1-Election-POA.doc